

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Foote et al.

Group Art Unit: 2661

Appl. Ser. No.: 10/623,784

Confirmation No.: 6093

Filed: July 21, 2003

Examiner: tbd

Title: MULTIPROTOCOL LABEL SWITCHING (MPLS) EDGE SERVICE
EXTRACTION

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JAN 09 2004

Technology Center 2600

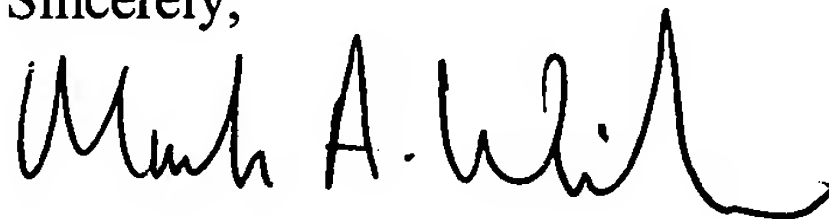
STATEMENT OF FACTS REQUIRED UNDER 37 C.F.R. 1.47(a)

1. I, Mark A. Wilson, holding Reg. No. 43,994, have been given Power of Attorney by the signing joint inventors Richard Foote, Usama Anqud, Venkat Manickavasagan, and Rama Ramakrishnan in the above-identified patent application. I have a correspondence mailing address of PMB: 348 2530 Berryessa Road, San Jose, CA 95132, and a business telephone number of (925) 249-1300.
2. Kumar Mehta is a joint inventor in the above-identified patent application. Kumar Metha's last known residence address is 19111 Barnhart Avenue, Cupertino, CA 95014 and his last know residence telephone number is (408) 861-0958.
3. Kumar Mehta became a joint inventor in the above-identified patent application during the course of his employment at Riverstone Networks, Inc. having a business address at 5200 Great America Parkway, Santa Clara, CA 95054 and a business telephone number of (408) 878-6500.
4. On 8/29/03, Kumar Mehta's employment at Riverstone Networks, Inc. was terminated as part of a reduction in workforce.
5. On 10/9/03, I contacted Kumar Mehta via email requesting his signature on a Declaration and Power of Attorney and an Assignment of rights to Riverstone Networks, Inc. with regard to the above-identified patent application. See attached Exhibit A
6. On 10/9/03, Kumar Mehta replied to my 10/9/03 email and requested a copy of the patent application. See Exhibit B

7. On 10/10/03, I sent two electronic files to Kumar Mehta via email that included the text and figures of the above-identified patent application as filed on 7/21/03. The files were named "RSTN-088-Ver-FINAL.pdf" and RSTN-088-DraftFigsVer1_2.pdf". See Exhibit C
8. On 10/14/03, I sent an email to Kumar Mehta asking if he had received the patent application files that were sent on 10/10/03. See Exhibit D
9. On 10/14/03, I received an email from Kumar Mehta acknowledging that he had received the patent application files that were sent on 10/10/03. See Exhibit E
10. On 11/20/03, I sent an email to Kumar Mehta asking if he was going to be available to sign the required patent paperwork (including the Declaration and Power of Attorney). See Exhibit F. No response was received.
11. On 12/2/03, I sent another email to Kumar Mehta asking if he was going to be available to sign the required patent paperwork (including the Declaration and Power of Attorney). See Exhibit G. No response was received.
12. On 12/2/03, I left a voicemail message at the telephone number (408-861-0958) of Kumar Mehta's last known residence address. My voicemail message explained that I wanted to know if he was going to be available to sign the patent documents and to please contact me with his response. No response was received.
13. On 12/16/03, I sent another email to Kumar Mehta asking if he was going to be available to sign the required patent paperwork (including the Declaration and Power of Attorney). See Exhibit H. No response was received.
14. On 12/16/03, I left a voicemail message at the telephone number (408-861-0958) of Kumar Mehta's last known residence address. My voicemail message explained that I wanted to know if he was going to be available to sign the patent documents and to please contact me with his response. No response was received.

I believe the above-provided facts to be true to the best of my knowledge.

Sincerely,



Mark A. Wilson

Date: December 22, 2003

Phone: (925) 249-1300



EXHIBIT A

Mark Wilson

RECEIVED

From: "Mark Wilson" <mark@techpatents.com>
To: "Kumar Mehta" <kumarbm23@yahoo.com>
Sent: Thursday, October 09, 2003 11:27 AM
Attach: RSTN-088-partially signed docs.pdf
Subject: Filing Papers for Patent Application RSTN-088

JAN 09 2004

Technology Center 2600

Kumar,
I filed a patent application for Riverstone and you are listed as one of the co-inventors. The application was entitled "MULTIPROTOCOL LABEL SWITCHING (MPLS) EDGE SERVICE EXTRACTION" and was filed on 7/21/2003.

I was wondering if you would be able to sign two documents that are needed to complete the application.

I have attached copies of the documents for your review.

If you are able to sign these documents, I would like to send the originals to you so that all of the original signatures are on the same papers.

Please let me know if this would be ok. Also, confirm that your residence address is the same as on the documents.

Please contact me if you have any questions or concerns.

Regards,
Mark

Mark A Wilson
Wilson & Ham
Phone: (925) 249-1300
Fax: (925) 249-0111
Email: mark@techpatents.com

12/16/2003



EXHIBIT B

Mark Wilson

From: "Kumar Mehta" <kumarbm23@yahoo.com>
To: "Mark Wilson" <mark@techpatents.com>
Sent: Thursday, October 09, 2003 9:50 PM
Subject: Re: Filing Papers for Patent Application RSTN-088

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Technology Center 2600

Please send me the body text of the patent.
 My email address is kumarbm@comcast.net

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- > Wilson & Ham
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- > Fax: (925) 249-0111
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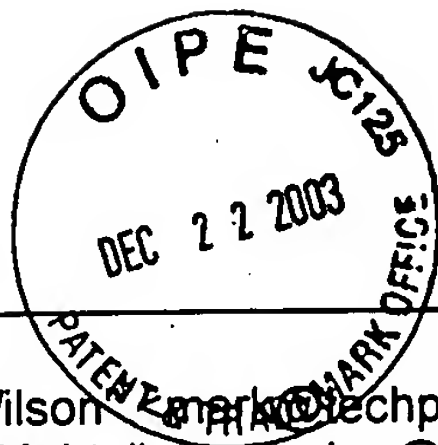


EXHIBIT C

Mark Wilson

RECEIVED

From: "Mark Wilson" <mark@techpatents.com>
To: "Kumar Mehta" <kumarbm@comcast.net>
Sent: Friday, October 10, 2003 7:49 AM
Attach: RSTN-088-Ver-FINAL.pdf; RSTN-088-DraftFigsVer1_2.pdf
Subject: Text of Patent Application

JAN 09 2004

Technology Center 2600

Kumar,
Here is the text and figures for the patent application. Please note that this material is COMPANY CONFIDENTIAL.

Let me know if you have any questions.

Regards,
Mark

Mark A Wilson
Wilson & Ham
Phone: (925) 249-1300
Fax: (925) 249-0111
Email: mark@techpatents.com

12/16/2003

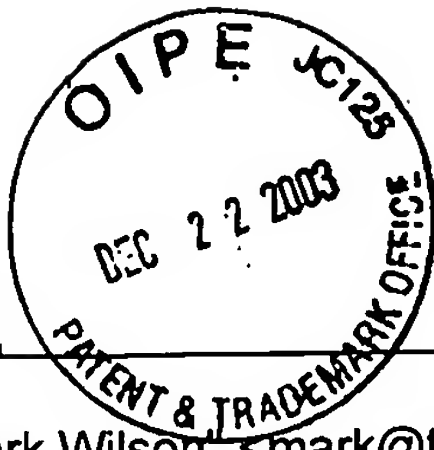


EXHIBIT D

Mark Wilson

From: "Mark Wilson" <mark@techpatents.com>
T : "Kumar Mehta" <kumarbm23@yahoo.com>
Sent: Tuesday, October 14, 2003 11:32 AM
Subject: Re: Filing Papers for Patent Application RSTN-088

RECEIVED

JAN 09 2004

Technology Center 2600

Kumar,
 Just want to make sure that you received the documents that you requested.
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 Mark

----- Original Message -----

From: "Kumar Mehta" <kumarbm23@yahoo.com>
To: "Mark Wilson" <mark@techpatents.com>
Sent: Thursday, October 09, 2003 10:50 PM
Subject: Re: Filing Papers for Patent Application RSTN-088

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 > > Mark A Wilson

12/16/2003

> > Wilson & Ham
> > Phone: (925) 249-1300
> > Fax: (925) 249-0111
> > Email: mark@techpatents.com
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EXHIBIT E

Mark Wilson

From: "Kumar Mehta" <kumarbm23@yahoo.com>
To: "Mark Wilson" <mark@techpatents.com>
Sent: Tuesday, October 14, 2003 6:56 PM
Subject: Re: Filing Papers for Patent Application RSTN-088

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Mark,
 I did get the documents.

Kumar

--- Mark Wilson <mark@techpatents.com> wrote:

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 > To: "Mark Wilson" <mark@techpatents.com>
 > Sent: Thursday, October 09, 2003 10:50 PM
 > Subject: Re: Filing Papers for Patent Application RSTN-088

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12/16/2003

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>>> Regards,

>>> Mark

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>>> Mark A Wilson

>>> Wilson & Ham

>>> Phone: (925) 249-1300

>>> Fax: (925) 249-0111

>>> Email: mark@techpatents.com

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Mark Wilson

EXHIBIT F



Fr m: "Mark Wilson" <mark@techpatents.com>
To: "Kumar Mehta" <kumarbm23@yahoo.com>
Cc: "Diane Honda" <dhonda@riverstonenet.com>
Sent: Thursday, November 20, 2003 2:38 PM
Subject: Re: Filing Papers for Patent Application RSTN-088

RECEIVED

JAN 09 2004

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Kumar,

Hope all is well. I have not heard back from you. Are you going to be able to sign the papers for the patent application that was filed on 7/21/03. I need to file the required paperwork by mid-December.

If you are able to sign the papers, I will make arrangements to get them to you.

Please let me know. Contact me if you have any questions.

Mark

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 Wilson & Ham
 Phone: (925) 249-1300
 Fax: (925) 249-0111
 Email: mark@techpatents.com

"This email message is for the sole use of the intended recipient(s) and may contain confidential and proprietary information. Any unauthorized review, use, disclosure or distribution is prohibited."

----- Original Message -----

From: "Kumar Mehta" <kumarbm23@yahoo.com>
To: "Mark Wilson" <mark@techpatents.com>
Sent: Tuesday, October 14, 2003 6:56 PM
Subject: Re: Filing Papers for Patent Application RSTN-088

> Mark,
 > I did get the documents.
 >
 > Kumar
 > --- Mark Wilson <mark@techpatents.com> wrote:
 > > Kumar,
 > > Just want to make sure that you received the documents that you requested.
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12/2/2003

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> > To: "Mark Wilson" <mark@techpatents.com>

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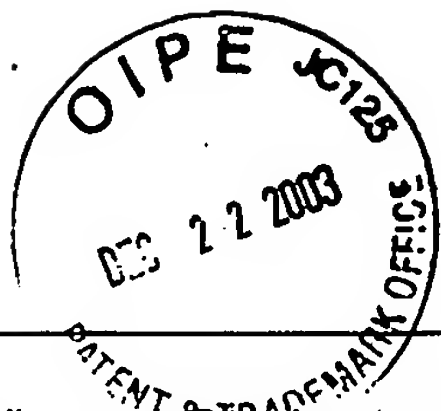


EXHIBIT 6

Mark Wilson

From: "Mark Wilson" <mark@techpatents.com>
To: "Kumar Mehta" <kumarbm@comcast.net>; <kumarbm23@yahoo.com>
Cc: "Diane Honda" <dhonda@riverstonenet.com>
Sent: Tuesday, December 02, 2003 11:49 AM
Subject: Fw: Filing Papers for Patent Application RSTN-088

RECEIVED

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Technology Center 2600

Kumar,
 I would need to have your signature by 12/19/03 if you are going to be available to sign the patent papers. Please let me know either way so that I can plan accordingly. Contact me if you have any question.

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 Wilson & Ham
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 Fax: (925) 249-0111
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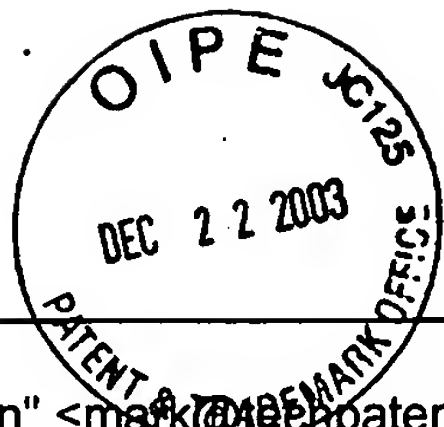


EXHIBIT H

Mark Wilson

From: "Mark Wilson" <mark@techpatents.com>
To: "Kumar Mehta" <kumarbm@comcast.net>; <kumarbm23@yahoo.com>
Sent: Tuesday, December 16, 2003 5:01 PM
Subject: Fw: Filing Papers for Patent Application RSTN-088

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